

2017 Regular Session

HOUSE BILL NO. 73

BY REPRESENTATIVE MACK

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

COURTS/CITY: Provides for the use of fees collected by the marshal of the city of Hammond

1 AN ACT

2 To amend and reenact R.S. 13:5807.2(C), relative to the collection and use of fees by the
3 marshal of the city of Hammond; to provide for an increase in the maximum use of
4 fees for operational expenses of the office; and to provide for related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 13:5807.2(C) is hereby amended and reenacted to read as follows:

7 §5807.2. Fees and costs; Hammond city marshal

8 * * *

9 C. ~~Notwithstanding any provision of law to the contrary, but in accordance~~
10 ~~therewith, the marshal of the city of Hammond shall be entitled to a minimum fee~~
11 ~~of office of ten dollars for each service described in Subsection A of this Section.~~
12 ~~The marshal is entitled to use up to fifteen thousand five hundred dollars annually~~
13 ~~of the fees of office to defray operational expenses of the office and as may be useful~~
14 ~~and necessary for the proper conduct of the office of the marshal. In addition to the~~
15 ~~minimum salary provided in R.S. 13:1883(A)(5), the marshal of the city of~~
16 ~~Hammond is authorized to use up to thirty-nine thousand five hundred eighty-six~~
17 ~~dollars of the fees collected annually pursuant to provisions of this Section to~~
18 ~~supplement his salary and benefits. The total compensation and benefits paid to the~~
19 ~~marshal of the city of Hammond shall not exceed one hundred eleven thousand five~~
20 ~~hundred eighty-five dollars annually. The remainder of the fees and commissions~~

1 collected shall be used to defray operational expenses of the office as may be useful
 2 and necessary for the proper conduct of the office of the marshal.

3 Section 2. This Act shall become effective upon signature by the governor
 4 or, if not signed by the governor, upon expiration of the time for bills to become law
 5 without signature by the governor, as provided by Article III, Section 18 of the
 6 Constitution of Louisiana. If vetoed by the governor and subsequently approved by
 7 the legislature, this Act shall become effective on the day following such approval.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 73 Reengrossed

2017 Regular Session

Mack

Abstract: Limits the funds available to the marshal of the city of Hammond from fees collected for salary purposes and requires the remainder of the funds to be used for the operational expenses of the office of the marshal of the city of Hammond.

Present law provides a listing of certain fees that the marshal of the city of Hammond shall be entitled to in civil matters.

Present law provides that the marshal of the city of Hammond shall be entitled to certain fees for each service of certain civil pleadings.

Present law (R.S. 13:1883) provides the marshal of the city of Hammond with a minimum salary of \$6,000 payable monthly in equal proportions by the governing authority and the parish.

Present law provides that the marshal is entitled to use up to \$15,500 annually of the fees of office to defray operational expenses as may be useful and necessary for the proper conduct of the office of the marshal.

Proposed law allows the marshal to use up to \$39,586 annually of the fees collected to supplement his salary and benefits, and requires that the total compensation and benefits paid to the marshal of the city of Hammond shall not exceed \$111,585 annually. Proposed law requires that the remainder of the fees and commissions collected shall be used to defray operational expenses as may be useful and necessary for the proper conduct of the office of the marshal.

(Amends R.S. 13:5807.2(C))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Judiciary to the original bill:

1. Remove proposed provisions related to fee increases that the marshal of the city of Hammond is entitled to for service of certain civil pleadings.

2. Remove proposed provisions allowing the marshal for the city of Hammond to increase the available fees for use for operational expenses from \$15,500 to \$50,000.
3. Add a provision authorizing the marshal for the city of Hammond to use up to \$39,586 in fees collected annually to supplement his salary, and require the remainder of the fees to be used for operational expenses of the office of the marshal.
4. Add technical amendments.

The House Floor Amendments to the engrossed bill:

1. Provide that the total compensation and benefits paid to the marshal of the city of Hammond may not exceed \$111,585 annually.